

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PLUSPHARMA INCORPORATED	:	CIVIL ACTION
	:	
v.	:	NO. 05-2439
	:	
FRUTAROM USA INC.	:	

AMENDED ORDER

AND NOW, this 16th day of May, 2006, it having been reported that the parties have agreed to submit this matter to final and binding mediation¹ and upon Order of the Court, pursuant to the provisions of Rule 41.1(b) of the Local Rules of Civil Procedure, it is **ORDERED** that this action is **DISMISSED** without prejudice, without costs, pursuant to agreement of counsel.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction to resolve any disputes regarding the mediation and to enforce any award.

s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.

¹The parties have agreed to submit all claims to former Chief Judge Louis C. Bechtle for final and binding mediation. The parties waive all rights to appeal Judge Bechtle's decision and shall each pay one-half of the mediator's fees and costs.